

15 September 2006

Barbara J. Cook, P.E.  
Regional Branch Chief  
Attention: Lynn Nakashima  
Site Mitigation Branch  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200  
Berkeley, California 94710

RE: September 2006 Monthly Summary Report  
Site Investigation Order  
Docket No. 04/05-006

Dear Barbara and Lynn,

Erler & Kalinowski, Inc. ("EKI") has prepared this letter on behalf of Cherokee Simeon Venture I, LLC ("CSV"), Zeneca, Inc. ("Zeneca"), and Bayer CropScience, Inc. ("Bayer"), collectively known as the Respondents to the Order, to fulfill the monthly reporting requirements to the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC") for the former Zeneca Property, now known as the Campus Bay Site ("Site"), that is the subject of Site Investigation Order, Docket No. 04/05-006 ("Order"). The Site is located between Meade Street, University of California - Richmond Field Station, South 49<sup>th</sup> Street, and Stege Marsh, in Richmond, Contra Costa County, California 94804. The monthly reporting requirements are outlined in Section 6.4 of the DTSC Order.

This summary report has been organized according to Section 6.4 of the Order and will contain a description of:

1. Specific actions taken by or on behalf of Respondents during the previous calendar month.
2. Actions expected to be undertaken during the current calendar month.
3. All planned activities for the next month.
4. Any requirements under the Order that were not completed.
5. Any problems or anticipated problems in complying with the Order.
6. All results of sample analyses, tests, and other data generated under the Order during the previous calendar month, and any significant findings from these data.

Also included in this monthly report is an update to the project schedule.

1. Specific actions taken by or on behalf of Respondents during the previous calendar month.

The actions taken by or on behalf of Respondents this previous calendar month (August 2006) are as follows:

- Continued preparation of a response to DTSC's comments provided in a letter, dated 21 February 2006, on the *Current Conditions Summary Report, Lot 1*, which was submitted to the DTSC on 13 May 2005 ("Lot 1 CCR") and the *Current Conditions Summary Report, Lot 2*, which was submitted to the DTSC on 24 June 2005 ("Lot 2 CCR"). Submittal of the response to DTSC is planned for October 2006 with the Lots 1 and 2 Remedial Investigation Report.
- Continued preparation of a response to DTSC's comments provided in a letter, dated 7 March 2006, on the *Current Conditions Summary Report, Lot 3*, dated 29 July 2005 ("Lot 3 CCR"). The DTSC comment letter also included additional comments on the *Lot 3, Field Sampling and Analysis Plan, Campus Bay Site, Richmond, California*, dated 2 November 2005 ("Lot 3 FSAP"). Submittal of the response to DTSC is planned for November 2006 with the Lot 3 Remedial Investigation Report.
- Continued preparation of the Lagoon Site Investigation Workplan.
- Initiated implementation of temporary cap maintenance activities in accordance with the DTSC-approved weed control plan summarized in a letter, dated 25 May 2006, including herbicide application on 12 July 2006.
- Continued preparation of a Removal Action Workplan ("RAW") for polychlorinated biphenyl ("PCB") and volatile organic compound ("VOC")-impacted soil within Lot 1.
- Continued preparation of the Remedial Investigation Report tables, figures, and borehole logs for Lots 1, 2, and 3 based on data collected in accordance with the *Revised Quarterly Monitoring, Well Installation/Repair, and Lot 1/Lot 2 Field Sampling and Analysis Plan, Campus Bay Site, Richmond, California*, dated 19 September 2005 ("Lots 1 and 2 FSAP") and the Lot 3 FSAP and the revisions to the Lots 1 and 2 FSAP and the Lot 3 FSAP, dated 2 March 2006.
- Per the DTSC's request in a letter, dated 28 July 2006, submitted a list of proposed study areas for Lots 1 and 2 along with a proposed schedule to submit and implement the Treatability Study Workplan in a letter, dated 17 August 2006.
- Implemented activities specified in *Tidal Study Work Plan, Lot 3 of the Former Zeneca Facility, Campus Bay Project, Richmond, California*, dated 17 July 2006 ("Tidal Study").
- Performed 3<sup>rd</sup> Quarter 2006 quarterly groundwater and surface water (as necessary) monitoring during the week of 14 August 2006.
- Coordinated access with University of California ("UC") to perform additional soil and groundwater sampling on the UC Richmond Field Station property, as required by the DTSC and discussed during the 13 July 2006 meeting.
- Performed walkthrough assessment of the temporary cap on 10 August 2006 to note herbicide effectiveness and applied additional herbicide, as necessary, in accordance with the DTSC-approved weed control plan summarized in a letter, dated 25 May 2006.
- Met with the DTSC at the Site on 16 August 2006 to discuss concerns regarding alleged buried drums and identify the area to perform the magnetometer survey.

- Continue up-keep and maintenance activities associated with the Habitat Enhancement Area ("HEA") revegetation in accordance with the HEA Planting Plan summarized in the *Conceptual Remediation and Risk Management Plan for the Habitat Enhancement Area*, dated 4 October 2002.
- Per verbal authorization from DTSC, initiate performance of additional investigations in the proposed treatability study areas on Lots 1 and 2, as summarized in the letter, dated 17 August 2006.

2. Actions expected to be undertaken during the current calendar month

The Respondents intend to complete the following activities this month (September 2006).

- Continue preparation of a response to DTSC's comments provided in a letter, dated 21 February 2006, on the Lot 1 CCR and Lot 2 CCR. Submittal of the response to DTSC is planned for October 2006 with the Lots 1 and 2 Remedial Investigation Report.
- Continue response to DTSC's comments provided in a letter, dated 7 March 2006, on the Lot 3 CCR. The DTSC comment letter also included additional comments on the Lot 3 FSAP. Submittal of the response to DTSC is planned for November 2006 with the Lot 3 Remedial Investigation Report.
- Submit the draft RAW for PCB- and VOC-impacted soil on Lot 1 by the end of September 2006.
- Continue preparation of the Remedial Investigation Reports for Lots 1 and 2 and Lot 3. Submittal of the Remedial Investigation Reports for Lots 1 and 2 and Lot 3 has been postponed to include results of sampling planned by Respondents on the UC Richmond Field Station Property.
- Initiate preparation of the Lots 1 and 2 Risk Assessment and Lot 3 Risk Assessment.
- Initiate preparation of report documenting results of the *Tidal Study Work Plan, Lot 3 of the Former Zeneca Facility, Campus Bay Project, Richmond, California* to DTSC.
- Submitted a letter, dated 1 September 2006, to the DTSC transmitting the dioxin data from the investigation of Lots 1, 2, and 3.
- Submitted the *Treatability and Pilot Study Work Plan for Localized Occurrences of Volatile Organic Compounds in Groundwater, Lots 1 and 2, Former Zeneca Facility, Campus Bay Project, Richmond, California* ("Treatability Study Workplan"), dated 6 September 2006, to DTSC.
- Per verbal authorization from DTSC, continued additional investigations in the proposed treatability study areas on Lots 1 and 2, as summarized in the letter, dated 17 August 2006.
- Submitted letter work plan, dated 8 September 2006, to DTSC to perform a magnetometer survey in the alleged buried drums area.
- Implement magnetometer survey to evaluate the presence of alleged buried drums.
- Perform soil and groundwater sampling on the UC Richmond Field Station property, as required by the DTSC and discussed during the 13 July 2006 meeting, assuming the access agreement is executed.

- Continue up-keep and maintenance activities associated with the HEA revegetation in accordance with the HEA Planting Plan summarized in the *Conceptual Remediation and Risk Management Plan for the Habitat Enhancement Area*, dated 4 October 2002.
- Submit the Lagoon Site Investigation Workplan to the DTSC.
- Continue weed control activities (picking dead weeds) on the temporary cap.
- Submit a letter transmitting radiological data from the investigation of Lots 1, 2, and 3 to the DTSC.
- Perform second round of soil gas sampling of soil gas wells on Lots 1, 2, and 3, as requested by DTSC.

3. All planned activities for the next month

The respondents intend to conduct the following activities next month (October 2006).

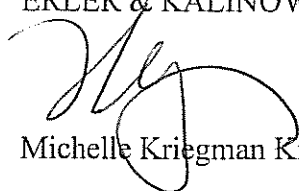
- Continue response to DTSC's comments provided in a letter, dated 21 February 2006, on the Lot 1 CCR and Lot 2 CCR. Submittal of the response is planned for November 2006 with the Lots 1 and 2 Remedial Investigation Report.
- Continue response to DTSC's comments provided in a letter, dated 7 March 2006, on the Lot 3 CCR. The DTSC comment letter also included additional comments on the Lot 3 FSAP. Submittal of the response to DTSC is planned for November 2006 with the Lot 3 Remedial Investigation Report.
- Continue preparation of the Remedial Investigation Report for Lots 1 and 2. Submittal of the Remedial Investigation Report for Lots 1 and 2 was postponed to include the results of sampling planned by Respondents on the UC Richmond Field Station Property.
- Continue preparation of the Remedial Investigation Report Lot 3. Submittal of the Remedial Investigation Report for Lot 3 was postponed to include results of sampling planned by Respondents on the UC Richmond Field Station Property.
- Continue preparation of the Lots 1 and 2 Risk Assessment and Lot 3 Risk Assessment.
- Repair areas of temporary cap damaged during site investigation activities associated with the Lot 3 FSAP.
- Initiate activities associated with the Treatability Study Workplan, pending approval by the DTSC.
- Initiate activities associated with the Lagoon Sampling Workplan, pending approval by the DTSC.
- Continue preparation of report documenting results of the *Tidal Study Work Plan, Lot 3 of the Former Zeneca Facility, Campus Bay Project, Richmond, California* to DTSC.
- Revise the draft RAW for PCB- and VOC-impacted soil on Lot 1, based on DTSC comments.
- Submit 3<sup>rd</sup> quarter groundwater monitoring report to the DTSC.

4. Any requirements under the Order that were not completed
  - Communications between the Respondents and DTSC regarding Financial Assurance are ongoing.
5. Any problems or anticipated problems in complying with this Order
  - None
6. All results of sample analyses, tests, and other data generated under this Order during the previous calendar month, and any significant findings from these data
  - Results from groundwater sampling performed during the 3<sup>rd</sup> quarter of 2006 will be discussed in the 3<sup>rd</sup> quarter report, to be submitted to the DTSC by 31 October 2006.
  - A letter containing dioxin data from field activities performed in accordance with the Lots 1 and 2 FSAP and Lot 3 FSAP was transmitted to the DTSC on 1 September 2006.
  - A letter containing radiological data from field activities performed in accordance with the Lots 1 and 2 FSAP and Lot 3 FSAP will be transmitted to the DTSC in September 2006.
  - Results from the Tidal Study will be transmitted to the DTSC in November 2006.

If you have any questions or comments regarding this report, please feel free to contact Douglas Mosteller of CSV at (303) 689-1476.

Very truly yours,

ERLER & KALINOWSKI, INC.



Michelle Kriegman King, Ph.D.

Vice President

Attachment: Updated Figure 5-1: Schedule – Site Investigation Order (DTSC Docket 04/05-006)

cc: John D. Edgcomb  
Doug Mosteller, Cherokee Simeon Venture I, LLC  
Lynn Nakashima, DTSC  
J. Russell Pitto, SIMEON Commercial Properties LLC  
Andrew Romolo, LFR  
Brian A. Spiller, Zeneca Inc.  
Dwight Stenseth, Cherokee Investment Partners